

## Message Text

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PAGE 01 STATE 195708  
ORIGIN L-03

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DRAFTED BY L/ARA:F.K.WILLIS:JV  
APPROVED BY L:H.J.HANSELL  
ARA/PAN - D. WYROUGH  
D - B. BARRINGER  
-----072906 172223Z /73  
O 172200Z AUG 77  
FM SECSTATE WASHDC  
TO AMEMBASSY PANAMA IMMEDIATE

C O N F I D E N T I A L STATE 195708

E.O. 11652: GDS

TAGS: PBOF, PN

SUBJECT: TREATY NEGOTIATIONS: TREATY DRAFTS

1. THE FOLLOWING TEXT IS FOR YOUR USE IN SEEKING AGREE-  
MENT ON A REVISED PREAMBLE:

"THE REPUBLIC OF PANAMA AND THE UNITED STATES OF  
AMERICA:

(BEGIN UNDERSCORE) RECOGNIZING (END UNDERSCORE) THEIR  
IMPORTANT MUTUAL INTEREST IN THE CONTINUED SAFE AND EFFI-  
CIENT OPERATION OF THE PANAMA CANAL;

(BEGIN UNDERSCORE) DESIRING (END UNDERSCORE) TO  
STRENGTHEN THE BONDS OF FRIENDSHIP AND COOPERATION WHICH  
HAVE HISTORICALLY EXISTED BETWEEN THEM;

(BEGIN UNDERSCORE) DESIRING (END UNDERSCORE) TO  
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ENSURE THAT THEIR RESPECTIVE RIGHTS AND RESPONSIBILITIES  
ARE EXERCISED ON A BASIS OF JUSTICE, EQUALITY, MUTUAL  
RESPECT AND ECONOMIC FAIRNESS;

(BEGIN UNDERSCORE) DETERMINED (END UNDERSCORE) TO  
COOPERATE AS PROVIDED BY THIS TREATY IN THE OPERATION,  
MAINTENANCE, PROTECTION, AND DEFENSE OF THE PANAMA CANAL

AND TO ELIMINATE, ONCE AND FOR ALL, THE ASPECTS OF THE PAST RELATIONSHIP WHICH HAVE SERVED AS CAUSES OF CONFLICT BETWEEN THEM;

(BEGIN UNDERSCORE) ACKNOWLEDGING (END UNDERSCORE) THE REPUBLIC OF PANAMA'S SOVEREIGNTY OVER ITS TERRITORY;

(BEGIN UNDERSCORE) AFFIRMING (END UNDERSCORE) A MUTUAL DESIRE TO PRESERVE THE SOVEREIGNTY OF THE REPUBLIC OF PANAMA OVER THE AREAS OF ITS TERRITORY THE USE OF WHICH IS GRANTED TO THE UNITED STATES OF AMERICA FOR THE PURPOSES SPECIFIED IN THIS TREATY; FYI. NOTE: WE STRONGLY PREFER THAT THIS PARAGRAPH NOT BE INCLUDED. IT IS ACCEPTABLE ONLY IF THE PANAMANIAN INSIST. IF THEY DO INSIST, YOU SHOULD NOT AGREE TO CHANGES IN THIS TEXT WITHOUT ADDITIONAL AUTHORIZATION. END FYI.

(BEGIN UNDERSCORE) APPRECIATING (END UNDERSCORE) THE BENEFITS WHICH COULD FLOW FROM POLITICAL, SOCIAL, CULTURAL AND ECONOMIC INTEGRATION OF THE PANAMA CANAL ZONE WITH THE REST OF THE TERRITORY OF THE REPUBLIC OF PANAMA;

(BEGIN UNDERSCORE) ACTING (END UNDERSCORE) IN THE SPIRIT OF THE DECLARATION OF APRIL 3, 1964 AND THE JOINT STATEMENT OF PRINCIPLES OF FEBRUARY 7, 1974 INITIALED BY THE SECRETARY OF STATE OF THE UNITED STATES AND THE FOREIGN CONFIDENTIAL

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MINISTER OF THE REPUBLIC OF PANAMA;

HAVE DECIDED TO TERMINATE THE PRIOR TREATIES PERTAINING TO THE PANAMA CANAL AND TO CONCLUDE A NEW TREATY TO SERVE AS THE BASIS FOR A NEW RELATIONSHIP BETWEEN THEM TO ACHIEVE THESE COMMON OBJECTIVES, AND HAVE AGREED UPON THE FOLLOWING:

2. AS REVISED, WE BELIEVE THAT WE CAN ACCEPT THIS TEXT. OBVIOUSLY WE ARE UNABLE TO NEGOTIATE THE EXACT TEXT BY REMOTE CONTROL AND THUS YOU ARE GIVEN DISCRETION TO NEGOTIATE A PREAMBLE ON THE USUAL AD REFERENDUM BASIS. IT WILL BE IMPORTANT IN THIS PROCESS TO AVOID CERTAIN IDEAS OR CONCEPTS WHICH WE CANNOT ACCEPT. THESE INCLUDE THE FOLLOWING:

A. THE IDEA THAT THE CANAL SHOULD SERVE AS AN INSTRUMENT FOR PANAMA'S DEVELOPMENT (PANAMANIAN ARTICLE 1 D).

B. THE IDEA THAT PANAMA SHALL EXERCISE BY VIRTUE OF THE TREATY FULL JURISDICTION OVER THE AREAS IN WHICH WE

RECEIVE USE RIGHTS (PANAMANIAN ARTICLE I B).

C. ANY REFERENCE TO "OBJECTIVES" OF THE TREATY  
(INTRODUCTION TO PANAMANIAN ARTICLE I).

D. OVER-EMPHASIS ON THE PROMPTNESS OF THE CANAL'S  
INTEGRATION INTO THE REST OF PANAMA (PANAMANIAN ARTICLE  
I C).

E. THE IDEA THAT THE TREATY'S PROVISIONS CANNOT BE  
ALLOWED TO ACT TO THE DETRIMENT OF PANAMA'S LEGITIMATE  
INTERESTS IS UNNECESSARY AND ARGUMENTIVE (PANAMANIAN  
ARTICLE I E).

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F. THE IDEA OF "ADAPTING . . . CONTRACTUAL RELATIONS  
TO THE NEW INTERNATIONAL MORALITY CONTAINED IN THE CHARTER  
OF THE UNITED NATIONS" (PANAMANIAN PREAMBLE).

G. REFERENCE IN THE PREAMBLE TO THE CANAL BEING  
"BUILT AND OPERATED ON TERRITORY UNDER THE SOVEREIGNTY  
OF THE REPUBLIC OF PANAMA" (PANAMANIAN PREAMBLE). VANCE

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
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**Copy:** SINGLE  
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**Disposition Approved on Date:**  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE195708  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** F.K.WILLIS:JV  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
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**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
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**Status:** NATIVE  
**Subject:** TREATY NEGOTIATIONS: TREATY DRAFTS  
**TAGS:** PBOR, PN, US, PQ  
**To:** PANAMA  
**Type:** TE  
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